

**RESOLUTION
OF THE
BOARD OF DIRECTORS OF
SOUTH CAROLINA LEGAL SERVICES**

**In Support of Enhanced Private Attorney Involvement
With LSC-Funded Programs**

Whereas, the Legal Services Corporation and the programs it funds, including South Carolina Legal Services (hereinafter SCLS), have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources, and increased *pro bono* commitment; and

Whereas, at its April 2007 meeting, the Board of Directors of the Legal Services Corporation adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in *pro bono* representation and other services that benefit low-income persons; and

Whereas, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC Strategic Directions 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC Performance Criteria*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work in order to supplement the amount and effectiveness of its representation and other services;
- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;

- The unanimous adoption in January 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded programs and describes ways in which the LSC Board and staff will work to expand private attorney involvement.
- The American Bar Association's Model Rule 6.1 and similar state bar rules note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means;

Whereas, in South Carolina, we recognize the enormous unmet civil legal needs of the indigent throughout our state and the commitment of the private Bar and our local Bar Associations to assist us in providing access to justice for such individuals, and

Whereas, the Supreme Court of South Carolina by Order dated January 31, 2007 established an Access to Justice Commission in recognition of the need to expand access to civil legal representation for people of low income and modest means in South Carolina.

Now, Therefore, Be It Resolved that the Board of Directors of South Carolina Legal Services, in an effort to help close the justice gap in South Carolina, supports and encourages private attorney involvement and endeavors to:

- Collaborate with the Access to Justice Commission and other organizations and entities in South Carolina to (a) develop and facilitate educational efforts that demonstrate the extent of the civil unmet legal need; (b) encourage collective responsibility by both public and private entities to meet this unmet civil legal need; (c) analyze the need for funding and other resources to close the justice gap; (d) develop and implement other initiatives designed to expand civil access to justice, such as increasing community legal education, enhancing technology and developing assisted *pro se* programs, and (e) encourage greater voluntary participation of the private bar in pro bono legal assistance to low income people in South Carolina; and (f) reduce the potential for duplication of civil legal services;
- Collaborate with the Charleston School of Law and the University of South Carolina School of Law to design and implement training protocols for new attorneys to improve efficiency and economy in poverty law trainings; and,
- Endeavor to (a) increase the engagement of private attorneys; (b) seek commitment of large law firms to put attorneys and paralegals in SCLS' offices for six months or a year; (c) use private attorneys for trainings in each office; (d) seek inclusion in trainings offered by private firms in relevant areas; (e) pair SCLS young staff attorneys with private attorneys; and (f) get private attorneys to help maintain SCLS' website.

Be it Further Resolved that the Board of Directors of South Carolina Legal Services will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of South Carolina Legal Services and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

**Adopted by the Board of Directors of South Carolina Legal Services on
December 18, 2007.**



Stuart M. Andrews
Board Chair